

### **Requests for Proviso Reconsideration and/or Clarification**

A license holder may request reconsideration and/or clarification of a proviso imposed on a DDTC authorization.

For DSP licenses, this request can be submitted as follows:

- A General Correspondence (GC) request
- A replacement DSP authorization

The procedures for both submission types are delineated below.

The procedures for proviso reconsideration and/or clarification for agreements are covered in the “Guidelines for Preparing Agreements”.

#### **GC Request**

The GC request from the applicant must identify the request as a “proviso reconsideration” and identify the DSP license number in the subject line. The opening paragraph of the request must identify the proviso(s) in question and requested action as follows: deletion, reconsideration or clarification. The applicant should provide a copy of the associated DSP license and provisos.

For deletions request, the applicant must provide justification or rationale for the deletion in order to facilitate review by the imposing agency.

For reconsideration requests, the applicant must restate the currently imposed proviso and their suggested revision of the proviso as well as the justification or rationale for the change.

For clarification request, the applicant must provide their interpretation of the proviso and specially address their questions or concerns related to the proviso.

All GC requests must contain a 22 CFR 126.13 certification letter.

The applicant will receive a formal response from DDTC via hardcopy letter.

#### **Replacement Authorization**

In the purpose block, the applicant should identify the submission as a “Proviso Reconsideration of [license number]”. There must be no other changes to the license application and this must be stated in the purpose block.

As support documentation, the applicant must submit a letter explaining the request as noted above under GC Request and a copy of the associated DSP license and provisos. There is no need for a resubmission of the original support documentation.

If the subject provisos will remain as written, the applicant will receive a Return Without Action (RWA) of the replacement authorization.

If the subject provisos are deleted and/or modified, the precedent authorization will be revoked and replaced by the replacement submission.

**SAMPLE: DDTC Response for General Correspondence for Proviso**  
**Reconsideration on DSP Licenses**

Mr.

Registrant Company Name

Applicant Company Name (if Different)

Address

City, ST 12345-3789

Special Instructions (i.e. Hold for Pick-Up By xxxxx, or FedEx xxx-xxxx-x)

YOUR LETTER DATED: Month DD, 2010

SUBJECT: Request for Reconsideration of Provisos for License xxxxxxx

Dear Mr. Empowered Official:

The Department of State has reviewed your request for reconsideration of provisos. As a result, Provisos # is/are revised as follows:

“7.

“8.

Other provisos contained in the subject license, except as modified hereby, continue to apply.

A copy of this letter must be attached to subject license identified above.

If you have any questions, please contact LO Name, phone number, email address.

Sincerely,

Kevin Maloney

Director

Office of Defense Trade Controls Licensing

DTC :AMDearth:P:6/1/10

CLR :DoD:P:x/xx/10 or No Staffing Required